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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID MCKEW,

Plaintiff,

v.

SAN FRANCISCO MUNICIPAL
RAILWAY; UNITED STATES POSTAL
SERVICE; MELVIN WASHINGTON.

Defendants.

No. C 07-3620 EDL

E-FILING CASE

(PROPOSED) ORDER

Date: September 4, 2007

Time: 2:00 p.m.

Place: Courtroom E, 15th Floor

FOR GOOD CAUSE SHOWN, the Court GRANTS the motion to dismiss, without prejudice, because under 28 U.S.C. § 2675(a) plaintiff may not institute an action until exhaustion of pre-suit administrative remedies.

Dated: September __, 2007

Elizabeth D. Laporte
United States Magistrate Judge